

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-006143

07/25/2003

HONORABLE BRIAN R. HAUSER

CLERK OF THE COURT
E. Morgenstern
Deputy

FILED: 07/30/2003

STATE OF ARIZONA

MARIA Y ARMIJO
JEANNETTE GALLAGHER

v.

TONATIHU AGUILAR

ROBERT L STORRS
BRUCE E BLUMBERG

DOB: 02/11/1980

APO-SENTENCE IMPRISON-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
VICTIM SERVICES DIV-CA-CCC

SENTENCE OF IMPRISONMENT

State's Attorney:	above-named counsel
Defendant's Attorney:	above-named counsel
Defendant:	Present
Court Reporter:	Melody O'Donnell

The Defendant was found guilty after a trial by jury.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 2 Attempted First Degree Murder

Class 2 dangerous felony

A.R.S. § 13-1001; 1101; 1105; 703; 702; 702.02; 801 and 604(P)

Date of Offense: 09/21/1966

Dangerous pursuant to A.R.S. § 13-604 - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

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Count 2: 30 year(s) from July 25, 2003
Presentence Incarceration Credit: 2591 days
Aggravated

Sentence is concurrent with sentence imposed in all other counts in this case and consecutive to sentence imposed in CR1997-09340.

OFFENSE: Count 3 Attempted First Degree Murder

Class 2 dangerous felony
A.R.S. § 13-1001; 1101; 1105; 703; 702; 702.02; 801 and 604(P)
Date of Offense: 09/21/1966
Dangerous pursuant to A.R.S. § 13-604 - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 3: 30 year(s) from July 25, 2003
Presentence Incarceration Credit: 2591 days
Aggravated

Sentence is concurrent with all other counts in this case and consecutive to sentence imposed in CR1997-09340.

OFFENSE: Count 4 Attempted First Degree Murder

Class 2 dangerous felony
A.R.S. § 13-1001; 1101; 1105; 703; 702; 702.02; 801 and 604(P)
Date of Offense: 09/21/1966
Dangerous pursuant to A.R.S. § 13-604 - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 4: 30 year(s) from July 25, 2003
Presentence Incarceration Credit: 2591 days
Aggravated

Sentence is concurrent with all other counts in this case and consecutive to sentence imposed in CR1997-09340.

OFFENSE: Count 5 Attempted First Degree Murder

Class 2 dangerous felony
A.R.S. § 13-1001; 1101; 1105; 703; 702; 702.02; 801 and 604(P)
Date of Offense: 09/21/1966

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Dangerous pursuant to A.R.S. § 13-604 - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 5: 30 year(s) from July 25, 2003
Presentence Incarceration Credit: 2591 days
Aggravated

Sentence is concurrent with all other counts in this case and consecutive to sentence imposed in CR1997-09340.

OFFENSE: Count 6 Attempted First Degree Murder

Class 2 dangerous felony
A.R.S. § 13-1001; 1101; 1105; 703; 702; 702.02; 801 and 604(P)
Date of Offense: 09/21/1966
Dangerous pursuant to A.R.S. § 13-604 - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 6: 30 year(s) from July 25, 2003
Presentence Incarceration Credit: 2591 days
Aggravated

Sentence is concurrent with all other counts in this case and consecutive to sentence imposed in CR1997-09340.

OFFENSE: Count 7 Attempted First Degree Murder

Class 2 dangerous felony
A.R.S. § 13-1001; 1101; 1105; 703; 702; 702.02; 801 and 604(P)
Date of Offense: 09/21/1966
Dangerous pursuant to A.R.S. § 13-604 – Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 7: 30 year(s) from July 25, 2003
Presentence Incarceration Credit: 2591 days
Aggravated

Sentence is concurrent with all other counts in this case and consecutive to sentence imposed in CR1997-09340.

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Pursuant to A.R.S. § 13-604, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Count 1: Second Degree Murder, a class 1 DANGEROUS felony committed on October 15, 1996 and convicted on 01/04/2002 in **CR1997-009340**.

Count 2: First Degree Murder, a class 1 DANGEROUS felony committed on October 15, 1996 and convicted on 01/04/2002 in **CR1997-009340**.

Count 3: Endangerment, a class 6 DANGEROUS felony committed on October 15, 1996 and convicted on 01/04/2002 in **CR1997-009340**.

Count 4: Burglary in the First Degree, a class 2 NON-DANGEROUS felony committed on October 15, 1996 and convicted on 01/04/2002 in **CR1997-009340**.

Community Supervision: Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this order together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE BRIAN R. HAUSER
JUDGE OF THE SUPERIOR COURT

(thumbprint)